

EXHIBIT A

Alexander Hernaez (SBN: 201441)
ahernaez@foxrothschild.com
Lee Szor (SBN: 276381)
lszor@foxrothschild.com
FOX ROTHSCHILD LLP
345 California Street, Suite 2200
San Francisco, CA 94104
Telephone: 415.364.5540
Facsimile: 415.391.4436

Attorneys for Defendant SPACEX

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

GILBERT GUZMAN,

Plaintiff,

v.

SPACE EXPLORATION
TECHNOLOGIES CORP., a Delaware
corporation; and DOES 1 through 60,
inclusive,

Defendants.

Case No.: _____

**DECLARATION OF LEE B. SZOR IN
SUPPORT OF NOTICE OF REMOVAL**

1 I, Lee B. Szor, hereby declare:

2 1. I am an attorney duly licensed to practice law in the State of California and before
3 this Court. I am an associate with Fox Rothschild LLP, counsel of record for Defendant SpaceX
4 in this case. I make this declaration in support of Defendant's Notice of Removal. If called as a
5 witness, I could and would testify to the facts stated in this declaration, all of which are within
6 my personal knowledge.

7 2. On August 6, 2015, I caused to be downloaded from the Los Angeles Superior
8 Court's online case records system copies of the summons, complaint, and all other process,
9 pleadings, and orders in connection with the action entitled *Gilbert Guzman v. Space*
10 *Explorations Technologies Corp., a Delaware corporation; and DOES 1 through 60, inclusive,*
11 Case No. BC574495. Attached hereto as **Exhibit 1** are true and correct copies of the summons,
12 complaint, and other process, pleadings, and orders from the Los Angeles Superior Court's file.

13 3. It is unclear from the face of Plaintiff's Complaint whether the Sixth Cause of
14 Action is brought solely pursuant to the California Family Rights Act ("CFRA") or whether the
15 Complaint also asserts a claim under the Family and Medical Leave Act ("FMLA").

16 4. Accordingly, on April 30, 2015, Defendant served its Requests for Admission
17 ("RFA") No. 18, which asks Plaintiff to "[a]dmit that you are not pursuing a claim under the
18 federal Family Medical Leave Act." Attached hereto as **Exhibit 2** is a true and correct copy of
19 Defendant's Requests for Admission to Plaintiff, Set One. The purpose of this request was to
20 clarify whether Plaintiff is actually pursuing a claim under the FMLA.

21 5. On July 9, 2015, Plaintiff served responses to Defendant's RFAs. Attached hereto
22 as **Exhibit 3** is a true and correct copy of Plaintiff's Responses to Requests for Admission Set
23 One. Plaintiff's response to Request for Admission No. 18 is "Deny." (Exhibit 3). Thus, Plaintiff
24 clarified that he is, in fact, pursuing a claim under the FMLA.

25 6. On August 4, 2015, I emailed Plaintiff's counsel, Michael G. Jacob, asking him to
26 consent to this removal. Mr. Jacob declined to consent to removal on August 6, 2015.

1 I declare under penalty of perjury under the laws of the United States of America that the
2 foregoing is true and correct and based upon my person knowledge. Executed this 7th day of
3 August, 2015, in San Francisco, California.

4 /s/ Lee B. Szor

Lee B. Szor

1 **PROOF OF SERVICE**

2 I am employed in the County of San Francisco, State of California. I am over the age of
3 18 years and not a party to this action; my business address is: 345 California Street, Suite 2200,
San Francisco, CA 94104.

4 On the date indicated below, I served the foregoing document(s):

5 **DECLARATION OF LEE B. SZOR IN SUPPORT OF NOTICE OF REMOVAL**

6 on the interested party(ies) in this action by placing true copies thereof enclosed in sealed
7 envelope(s) addressed as follows:

8 Douglas N. Silverstein, Esq.
9 Michael G. Jacob, Esq.
10 Kesluk, Silverstein & Jacob, P.C.
11 9255 Sunset Boulevard, Ste. 411
12 Los Angeles, CA 90069
13 T: 310.273.3180
14 F: 310.273.6137

Attorneys for Plaintiff

15 ☒ **BY FIRST-CLASS MAIL:** I caused said document(s) to be deposited in a facility
16 regularly maintained by the United States Postal Service on the same day, in a sealed
17 envelope, with postage paid, addressed to the above listed person(s) on whom it is being
18 served for collection and mailing on that date following ordinary business practices.

19 ☒ **[STATE]** I declare under penalty of perjury under the laws of the United States of
20 America that the foregoing is true and correct.

21 Executed August 7, 2015, at San Francisco, California.

22 /s/ Karen R. Beaton
23 An Employee of Fox Rothschild LLP
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